

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 7, 8, 11, and 14 through 17 are pending, with Claims 1 and 11 being independent. Claims 1 and 11 have been amended.

Claims 1, 7 through 8, 11, and 14 through 17 were rejected under 35 U.S.C. § 103 over newly-cited US 5,905,492 (Straub, et al.) in view of newly-cited US 2003/0151621 A1 (McEvelly, et al.). All rejections are respectfully traversed.

Claims 1 and 11 recite, inter alia, receiving from a broadcasting wave (1) a digital television signal and (2) a software program including GUI data, the software program further including compatability information which is used to discriminate whether the GUI data adapts to the digital broadcasting receiver, with, based on the compatability information, discriminating whether the GUI data adapts to the digital broadcasting receiver and if it adapts, then discriminating whether the keyword information matches the user's preference information.

However, Applicants respectfully submit that neither Straub, et al. nor McEvelly, et al., even in the proposed combination, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, inter alia, in Claims 1 and 11.

Applicants further respectfully submit that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed

above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

REQUEST FOR INTERVIEW

Applicants respectfully request that the Examiner contact Applicant's undersigned representative at (202) 530-1010 to schedule an interview.

CONCLUSION

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicants
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200
DSG/lcw